



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.7

AMARAVATI, WEDNESDAY, FEBRUARY 22, 2023

G.2685

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD,
4th FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.**

F.No.A1 / KST / 130 / 75 / Supply.

Date: 15-02-2023.

NTR DISTRICT - IBRAHIMPATNAM MANDAL - MAZLOOM SHAH DERVESH TAKIYA & MASJID AND ALSO FAKIR TAKIYA SITUATED AT KONDAPALLI VILLAGE - Sri SYED GULAM GHOUSE, S/o SYED MASOOM SHA KHADRI RECOGNIZED AS MUTAWALLI U/Sec 42 OF THE WAQF ACT, 1995.

- Read : 1.Representation of Sri. Syed Gulam Gouse, S/o.Syed Masoom Sha Khadri, Kondapalli, NTR District, dated:13-05-2022
2.This Office memo No., dated:15-06-2022.
3.Report of I.A Waqfs, NTR District, vide Lr.No.17/DWC/KST/1987, Dated:14-07-2022.
4.This office Notification, dated:06-10-2022.
5.Report of the I.A.Waqfs, NTR District, vide 17/DWC/KST/1987, dated:01-11-2022 along with paper notification publication clipping of Andhra Jyothi Telugu daily District edition of NTR District, Dated: 12-10-2022.
6. Board's Resolution No.623 of 2023, dated:03-02-2023.
7.Orders of the Hon'ble Chairperson, APSWB, dated:08-02-2023.

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ORDER:

The Waqf Institution namely Mazloom Shah Darvesh Takiya and Masjid situated at Konadapalli, Krishna District is a notified Waqf and got published in A.P. Gazette No.26, dated:28-06-1962 at Serial No.745 in page No. 708 & 709. The said institution is having attached lands at Guntuapalli in TD.No.899 covered in Sy No.35 to an extent of Ac.12.50 cents, Sy.No.37 to an extent of Ac.12-15 cents, Sy.No.38 to an extent of Ac.7.57 cents, Sy.No.39 to an extent of Ac. 12.37 cts, Sy.No.51 to an extent of Ac.5.62 cts, (As per revenue record) Sy.No.249 (old Sy.No.54) to an extent of Ac.45.32 cts under the Towliath of (1).Syed Fasiulla,(2).Mahaboobunissa, (3).Shaik Sarvar, (4).Abdul Jabbar and (5) Md.Abdul Hameed. The Rule of Succession to the office of Mutawalli specified as Hereditary.

Further, the Waqf Institution namely Fakir Takiya situated at Konadapalli, Krishna District is a notified Waqf and got published in A.P. Gazette No.26, dated:28-06-1962 at Serial No.733 in page No. 708 & 709. The said institution is having attached lands at Kondapalli in TD.No.467 covered in Sy No.111 to an extent of Ac.9.84 cts under the Towliath of Syed Fasiulla,. The Rule of Succession to the office of Mutawalli specified as Hereditary.

In the ref.1st read above, Sri.Syed.Gulam Ghouse, S/o.Syed Masoom Sha Khadri has submitted representation with a request to recognize him as Mutawalli to Mazloom Shah Dervesh Takiya & Masjid and also Fakir Takiya situated at Kondapalli Village in place of his deceased father. As a part of further course of action in the matter, this office has called detailed report along with relevant documents from the I.A Waqfs, NTR District vide ref. 2nd read above.

In the ref. 3rd read above, the I.A Waqfs, NTR District has submitted his report along with death and family Certificate of late Syed Masoom Shah Khadri issued by Tahsildar concerned Mandal, NOC of Smt. Syed Rasheda, Smt.Syed Gousia Sultanā, Sri.Syed Rizwan, Sri.Syed Riyaz. The I.A Waqf, NTR District has reported that the AP State Waqf Board has appointed to Sri. Syed Masoom Shah Quadri, S/o. Late Gulam Ghouse as Mutawalli in place of Syed Fasiulla (who is one of the notified Mutawalli to the subject institution) vide Proceedings No. A1/130/75.396, Dated:30-03-1976 and Sri. Barkatulla Quadri has appointed as Mutawalli in place of Magboobunissa (who is another one of the notified Mutawallia of the institution) U/sec. 42 of Waqf Act, 1995 vide Proceedings No. A1/11/KST/94, dated:28-07-1994. Further the I.A Waqfs, has reported that the applicant of Sri. Syed Gulam Ghouse is great grandson of notified Mutawalli and son of late Mutawalli Sri.Syed Masoom Sha Khadri and he is looking

the day to day affairs of the subject institution along with other Mutawalli Sri. Barkathulla Quadri, the applicant has submitted Income and expenditure particulars and paying Waqf Fund and there are no encroachment on the said land of institution.

Further the I.A Waqfs, NTR District has reported that an extent of Ac.25.33 cents out of Ac.88.72 cents is in possession of applicant and other Mutawalli and the remaining extent was acquired by the various departments and the Compensation amount was deposited in Court U/s.31(2) of the LA Act vide OP.No.114/75, 228/75 and 128/75 of Sub Court, Vijayawada. The Waqf Property in Sy.No.111 to an extent of Ac.9.84 cents was also acquired by the APIIC and compensation amount was deposited in Court U/s.31(2) of the Waqf LA Act vide OP No.31/85 at Sub Court Nuzvid.

Finally the I.A Waqfs, NTR District has recommended the candidature of Sri.Syed.Gulam Ghouse, S/o.Syed Masoom Sha Khadri for recognition of Mutawalli to the subject Waqf institutions U/sec.42 of Waqf Act,1995 in place of his demise father.

As a further course of action, this office has issued paper notification vide ref.4th read above for calling claims and objections if any for recognition of Sri.Syed.Gulam Ghouse, S/o.Syed Masoom Sha Khadri to the subject Waqf institutions may file their claims and objection within a period of (15) days from the date of Publication of this Notification with documentary evidence.

The Inspector Auditor Waqfs, NTR District has submitted report vide ref.5th read above, that the above said paper notification was published in Andhra Jyothi Telugu daily District edition of NTR on 12-10-2022 and there were no claims & objections received against the said notification.

The above said matter was placed before Board meeting and the Board has passed resolution No.623/2023, dated.03-02-2023 in the ref.6th read above to recognize Sri.Syed.Gulam Ghouse, S/o.Syed Masoom Sha Khadri as Mutawalli U/sec.42 of Waqf Act, 1995 for the Mazloom Shah Dervesh Takiya & Masjid and also Fakir Takiya situated at Kondapalli Village, Ibrahimpatnam Mandal, NTR District.

Accordingly, Sri.Syed.Gulam Ghouse, S/o.Syed Masoom Sha Khadri is hereby recognized as Mutawalli U/sec.42 of Waqf Act, 1995 for Mazloom Shah Dervesh Takiya & Masjid and also Fakir Takiya situated at Kondapalli Village, Ibrahimpatnam Mandal, NTR District for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the

Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec.61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To
Sri.Syed.Gulam Ghouse, S/o.Syed Masoom Sha Khadri,
Mutawalli of Mazloom Shah Dervesh Takiya & Masjid and Fakir Takiya,
Kondapalli Village, Ibrahimpatnam Mandal, NTR District